



COMMONWEALTH OF MASSACHUSETTS
THE GENERAL COURT
STATE HOUSE, BOSTON 02133-1053

The Honorable Stephen Brewer
Senate Committee on Ways and Means, Chair
State House, Room 212
Boston, MA 02133

The Honorable Brian Dempsey
House Committee on Ways and Means, Chair
State House, Room 243
Boston, MA 02133

September 9, 2011

Dear Chairmen Brewer and Dempsey,

We respectfully request your consideration for an allocation of \$300,000 in an upcoming supplemental budget to maintain the operations of the drug analysis laboratory located at the University of Massachusetts Amherst. This laboratory serves 101 Western Massachusetts communities and employs four chemists who analyze 6,000 drug samples each year for use in drug-offense prosecutions. Despite providing this critical service the Department of Public Health has proposed to eliminate these positions and close the facility on September 30, 2011 as a cost-savings measure.

Closure will not represent a cost-savings but rather a cost-shift onto the municipalities that currently use this laboratory. Under this proposal samples from the four Western Massachusetts counties would need to be transported to the other state laboratory in Jamaica Plain, ensuring increases in travel-related expenses and lost man-hours for our municipalities.

Furthermore, this proposal has the potential to delay or even jeopardize future prosecutions by shifting the Amherst workload to an already over-burdened Jamaica Plain laboratory. In Fiscal Year 2011 Jamaica Plain processed 17,683 samples but that was with a three-month backlog and after sending 3,000 samples to the Amherst laboratory and the University of Massachusetts Medical School for processing. The Jamaica Plain facility cannot handle its current workload in a timely manner and the Department, which hopes to realize its savings through staff reductions, is unlikely to hire additional personnel to handle a greater workload so the only possible result is additional delays in processing time. If this occurs, the Massachusetts District Attorney's Association has warned that there will be an increase in the rate of drug cases that end in dismissal for failure to comply with discovery obligations in a timely manner.

Principally and disproportionately the greatest burden would be on Hampshire, Franklin, Hampden, and Berkshire counties. Worcester and Middlesex have access to alternative funding

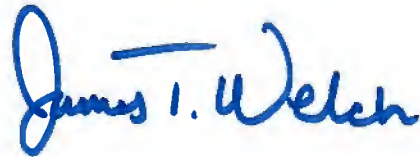
sources for their drug testing and are held harmless under this proposal. The Worcester District Attorney has a separate line item of \$420,000 (line item 0340-0410) for drug analysis through the University of Massachusetts Medical School. Middlesex County is served by the State Police Crime Laboratory located in Sudbury; that lab received an annual appropriation of \$12,993,541 (line item 8000-0106) to serve - in addition to state and federal law enforcement agencies - municipal police departments. The remaining counties in Massachusetts already use the Jamaica Plain facility and, although they would be saddled with longer processing times, would not incur any additional expenses.

As representatives of Western Massachusetts we respectfully request your consideration for an appropriation in an upcoming supplemental budget to maintain the critical services performed by the Amherst laboratory. Please do not hesitate to contact us should you have any questions or concerns.

Sincerely,



STAN ROSENBERG
*State Senator
Hampshire and Franklin*



JAMES WELCH
*State Senator
Hampden*



GALE CANDARAS
*State Senator
Hampden and Hampshire*



PETER KOCOT
*State Representative
First Hampshire*



BENJAMIN DOWNING
*State Senator
Berkshire, Hampshire and Franklin*



JOHN SCIBAK
*State Representative
Second Hampshire*



MICHAEL KNAPIK
*State Senator
Hampden and Hampshire*



ELLEN STORY
*State Representative
Third Hampshire*



STEPHEN KULIK
State Representative
First Franklin



TODD SMOLA
State Representative
First Hampden



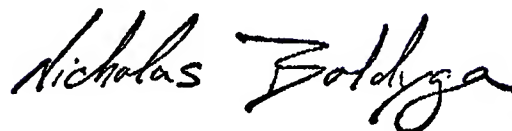
DENISE ANDREWS
State Representative
Second Franklin



BRIAN ASHE
State Representative
Second Hampden



GAILANNE CARIDDI
State Representative
First Berkshire



NICHOLAS BOLDYGA
State Representative
Third Hampden



PAUL MARK
State Representative
Second Berkshire



DON HUMASON, JR.
State Representative
Fourth Hampden



WILLIAM "SMITTY" PIGNATELLI
State Representative
Fourth Berkshire District



MICHAEL KANE
State Representative
Fifth Hampden



MICHAEL FINN
State Representative
Sixth Hampden District



SEAN CURRAN
State Representative
Ninth Hampden



THOMAS PETROLATI
State Representative
Seventh Hampden



CHERYL COAKLEY-RIVERA
State Representative
Tenth Hampden



ANGELO PUPPOLO, JR.
State Representative
Twelfth Hampden

cc: The Honorable Therese Murray, Senate President
The Honorable Robert DeLeo, Speaker of the House